Practitioner's Docket No. 8969-033-999**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jens BUCHARDT, et al.

Application No.: Not yet known Group No.: Not yet assigned

Filed: March 21, 2002

Examiner: Not yet assigned

For: "Substituted Phosphinate Based Peptide Derivatives"

Patent*:

Issue Date: _____

Reexamination No.:

Issue Date: _____

Reissue:

Issue Date: _____

*NOTE: Insert name(s) of inventor(s) and title for patent.

Assistant Commissioner for Patents

Washington, D.C. 20231

**STATEMENT UNDER 37 C.F.R. § 3.73(b)—
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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Patricia A. Barnes
Signature

Date: August 16, 2002

Patricia A. Barnes

(type or print name of person certifying)

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, . . . , patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. Nordic Bioscience A/S
Name of assignee
Corporation
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

PERSON AUTHORIZED TO SIGN

3. Klaus Eldrup Jorgensen
(type name of person authorized to sign on behalf of assignee)
CEO
Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

[Author's Note: The requirement for an oath or declaration for this statement by a person not a registered practitioner was rescinded by the rules effective December 1, 1997.]

(complete the following, if applicable)

- ☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

(Statement under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Take Action [16-16]—page 2 of 4)

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at
Reel _____, Frame _____.
2. ☒ An assignment (document) separately being submitted for recordal herewith.

AND/OR

- B.** ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: _____
Name of inventor(s)

To: _____

Recorded in PTO: Reel _____, Frame _____

2. From: _____
Name of inventor(s) or assignee

To: _____

Recorded in PTO: Reel _____, Frame _____

3. From: _____
Name of inventor(s) or assignee

To: _____

Recorded in PTO: Reel _____, Frame _____

(check item below, and add details, if applicable)

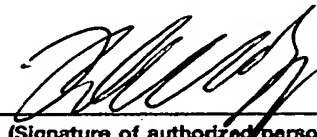
- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

- ☒ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input checked="" type="checkbox"/> A	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 2	
<input type="checkbox"/> B	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3



(Signature of authorized person)

Klaus Eldrup Jorgensen

(type or print name of authorized person)

CEO

Title of authorized person

Reg. No.: 40,927

Tel. No.: (617) 439-4444

Fax Nos. (617) 439-4170 / 7748

Customer No.: 21874



SIGNATURE OF PRACTITIONER

Robert L. Buchanan

(type or print name of practitioner)

Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group of

P.O. Address

EDWARDS & ANGELL, LLP

P. O. Box 9169, Boston, MA 02209



21874

PATENT TRADEMARK OFFICE

(Statement under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Take Action [16-16]—page 4 of 4)

USA Patent Appln.
Sole or Joint

NONPROVISIONAL

ASSIGNMENT OF NONPROVISIONAL APPLICATION

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT
NAME(S) OF
INVENTOR(S)

(1) Jens BUCHARDT	(4) Jean-Marie DELAISSE
(2) Niels T. FOGED	(5) Michael ENGSIK
(3) Morten MELDAL	<input checked="" type="checkbox"/> x box if continued on page 2

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT
NAME(S) OF
ASSIGNEE(S)
& ADDRESS(ES)

Nordic Bioscience A/S
Herlev Hovedgade 207, DK-2730 Herlev, Denmark

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof, and all resulting patents, known as

TITLE OF
INVENTION

SUBSTITUTED PHOSPHINATE BASED PEPTIDE DERIVATIVES

for which the undersigned executed an application for Letters Patent of the United States of America:

NOTE -->
(Complete
line A, B and/or C)

(A) ☒ even date herewith

(B) ☐ on

(C) ☒ in U.S. Appln. No. 10 / 088,571 filed March 21, 2002

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

	INVENTOR(S)	DATE SIGNED	WITNESSES
1)	<u>Jens BUCHARDT</u>	<u>25/3-2002</u>	
Name:	Jens BUCHARDT		
2)	<u>Niels T. FOGED</u>	<u>8/5-2002</u>	
Name:	Niels T. FOGED		
3)	<u>Morten MELDAL</u>	<u>4/4 2002</u>	
Name:	Morten MELDAL		
4)	<u>Jean-Marie DELAISSE</u>	<u>7/5 2002</u>	
Name:	Jean-Marie DELAISSE		
5)	<u>Michael ENGSIK</u>	<u>6/5-2002</u>	
Name:	Michael ENGSIK		

IF ADDITIONAL INVENTORS, check box ☒ and continue on page 2.

ASSIGNMENT
(Continued from page 1)

LISTING OF ADDITIONAL INVENTORS

INSERT
NAME(S) OF
INVENTOR(S)

(6) Mercedes FERRERAS	(11)
(7) Morten KARSDAL	(12)
(8) Maria del Carmen OVEJERO	(13)
(9) Christine B. SCHIØDT	(14)
(10) Bent WINDING	(15)

SIGNATURES OF ADDITIONAL INVENTORS/WITNESSES/DATES SIGNED

<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>	<u>WITNESSES</u>
6) <u>M. Ferreras</u> Name: Mercedes FERRERAS	<u>05 - April - 2002</u>	<u>[Signature]</u>
7) <u>Morten Karsdal</u> Name: Morten KARSDAL	<u>6/5 - 2002</u>	<u>[Signature]</u>
8) <u>Maria del Carmen Ovejero</u> Name: Maria del Carmen OVEJERO	<u>7/5 - 2002</u>	<u>Maria del Carmen Ovejero</u>
9) <u>Christine B. Schiødt</u> Name: Christine B. SCHIØDT	<u>8/15 - 2002</u>	<u>[Signature]</u>
10) <u>Bent Winding</u> Name: Bent WINDING	<u>04 - May - 2002</u>	<u>[Signature]</u>
11) _____ Name: _____	_____	_____
12) _____ Name: _____	_____	_____
13) _____ Name: _____	_____	_____
14) _____ Name: _____	_____	_____
15) _____ Name: _____	_____	_____